

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

SWEET ENDINGS, INC.

Plaintiff,

vs.

Civil Action No. 5:12-CV-0616
(NAM/TWD)

CHARLES CHAPPELL, ET AL.,

Defendants.

APPEARANCES:

OF COUNSEL:

Duane, Morris Law Firm
1540 Broadway
New York, NY 10036
Attorney for Plaintiff

Gregory P. Gulia, Esq.

Duane, Morris Law Firm
2700 North Military Trail, Suite 300
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Attorney for Plaintiff

J. Rodman Steele, Jr., Esq.

Office of Stuart J. LaRose
307 South Clinton Street
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Syracuse, NY 13202
Attorney for Defendants

Stuart J. LaRose, Esq.

Norman A. Mordue, U.S. District Judge

JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT

Pursuant to a report of Plaintiff's counsel (Dkt. No. 16) , the parties have entered into an agreement in settlement of all claims in this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED, as follows:

1) The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty days of the date of the filing of this order upon a showing that the settlement was not consummated;

2) The dismissal of the above captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty days of the date of filing of this order upon a showing that the settlement was not consummated. Upon completion of settlement, the parties are directed to exchange general releases and file a **Stipulation of Discontinuance** with the Court that must include language **"that no party hereto is an infant or incompetent"** in compliance with N.D.N.Y.L.R. 41.3; and

3) The Clerk shall serve copies of this Judgment upon counsel in this matter by electronic means.

IT IS SO ORDERED

Date: November 5, 2012


Honorable Norman A. Mordue
U.S. District Judge